



Columbia County Planning Commission
Proposed Agenda for February 18, 2016 at 6:00 P.M.
Evans Government Center Auditorium
Evans, Georgia

Planning Commissioners:

Countywide - Jim Cox

District 1 – Chris Noah

Vice-Chairman – Donald Skinner

District 3 – Richard Henderson, Sr.

District 4 – Dewey Galeas

- A. CALL TO ORDER..... Chairman Cox
- B. INVOCATION Chairman Cox
- C. PLEDGE OF ALLEGIANCE..... Chairman Cox
- D. ROLL CALL / QUORUM Chairman Cox
- E. APPROVAL OF THE MINUTES OF PREVIOUS MEETING Chairman Cox
1. February 4, 2016
- F. APPROVAL OF THE AGENDA Chairman Cox
- G. PRESENTATION..... Chairman Cox
- H. DEBATE AGENDA Chairman Cox
1. Unfinished Business Chairman Cox
- a. Rezoning
1. None
- b. Variance
1. **VA16-02-03, (Public Hearing)**, Variance to Sections 90-53 *List of Lot and Structure Requirements*, and 90-131(5) *Street Access Control*, 0.75+/- acres, located at 165 Watervale Road. Commission District 1. **Staff Assignment, Danielle Bolte. (Tabled from the 02/04/16 PC Meeting)**
2. New Business Chairman Cox
- a. Conceptual Plan
1. **Mitchell Park V**, located off of Mitchell Lane, zoned PUD (Planned Unit Development), 32 lots, 15.76 +/- acres, Tax Map 065 Parcel 673, Commission District 3. **Staff Assignment Andrew Strickland.**
2. **Revision to Eagle Creek**, located off of Hardy McManus Road, zoned R-2 (Single Family Residential), 63 lots, 32.73 +/- acres, Tax Map 065 Parcel 009U, Commission District 3. **Staff Assignment Andrew Strickland.**
- b. Preliminary Plat
1. **Bell Tower**, located off of Furys Ferry Road, zoned R-2 (Single Family Residential), 66 lots, 59.1 +/- acres, Tax Map 071 Parcels 013B, 013C, 013D, Commission District 1. **Staff Assignment Nayna Mistry.**
2. **Hidden Creek, Section H**, located off of Baker Place Road, zoned PUD (Planned Unit Development), 68 lots, 13.93 +/- acres, Tax Map 051 Parcel 737, Commission District 3. **Staff Assignment Nayna Mistry.**

- c. Final Plat
 - 1. **Brigadier Landing, Section 1**, located off of Wrightsboro Road, zoned R-2 (Single Family Residential), 52 lots, 22.41 +/- acres, Tax Map 069 Parcel 101C, *Commission District 4. Staff Assignment Nayna Mistry.*
 - 2. **Retreat at Baker Place, Phase III**, located off of Baker Place Road, zoned PUD (Planned Unit Development), 24 lots, 21.48 +/- acres, Tax Map 051 Parcels 004C and 855, *Commission District 4. Staff Assignment Nayna Mistry.*
 - 3. **Trade Center, Lots 7 and 8**, located off of Columbia Industrial Boulevard, zoned PUD (Planned Unit Development), 11 lots, 9.18 +/- acres, Tax Map 078 Parcel 116C, *Commission District 1. Staff Assignment Nayna Mistry.*
- d. Rezoning
 - 1. **RZ16-02-02, (Public Hearing)**, *Conditional Use for Massage Therapy*, Tax Map 073 Parcel 023, 0.845+/- acres, located at 427 N. Belair Road. *Commission District 2. Staff Assignment, Danielle Bolte.*
- e. Plan Revision
 - 1. None
- f. Variance / Variation
 - 1. **VA16-02-04, (Public Hearing)**, Variance to Section 90-53 *List of Lot and Structure Requirements*, Tax Map 081B Parcel 132, 0.48+/- acres, located at 3510 West Lake Drive. *Commission District 1. Staff Assignment, Will Butler.*
 - 2. **VA16-02-05, (Public Hearing)**, Variance to Section 90-53, *List of Lot and Structure Requirements*, Tax Map 039A Parcel 059, 1.28+/- acres, located at 102 Crystal Creek Lane. *Commission District 4. Staff Assignment, Will Butler.*
- g. Items Added (which need immediate action or have not gone before Committee)
 - 1. None
- I. LEGAL MATTERS County Attorney Driver
 - 1. None
- J. STAFF AND COMMISSIONER COMMENTS Chairman Cox
 - 1. **Vision 2035 Update. Staff Assignment, Andrew Strickland**
- K. PUBLIC COMMENTS AND PARTICIPATION Chairman Cox

The next scheduled Planning Commission meeting is March 3, 2016 at 6:00 P.M. in the Auditorium of Building A at the Evans Government Center.



VARIANCE

February 4, 2016
Tabled to February 18, 2016

FILE: VA16-02-03

Variance

Property Information	
Tax Map/Parcel ID	Tax Map 082I Parcel 077A
Address/Location	165 Watervale Road
Acreage (+/-)	0.75 +/- acres
Current Zoning	R-3 (Single Family Residential)
Existing Use	Residential
Request	Variances from Sections 90-53 <i>List of Lot and Structure Requirements</i> and 90-131(5) <i>Street Access Control</i>
Commission District	District 1 (Duncan)
Recommendation	Approval with Conditions

Executive Summary:

Owner and applicant Christopher M Peavler requests variances from Sections 90-53 *List of Lot and Structure Requirements* and 90-131(5) *Street Access Control* for a 0.75+/- acre parcel (Tax Map 082I Parcel 077A) located at 165 Watervale Road to reduce the front and rear setbacks and permit additional driveways for the property.

The property is located on the north side of Watervale Road, off of Stevens Creek Road, and is currently zoned R-3 (Single Family Residential). Surrounding properties are also zoned R-3.

This property was zoned R-3 in 1973 (RZ73-05-01) as part of the planned Watervale development. The property in question was shown on the original plat as being owned by the Watervale community association, presumably as an open space area; the original parcel contained both the subject property and the adjacent property at 169 Watervale Road. These two parcels were created approximately ten years after the recording of the subdivision plat. The recorded plat for these two parcels limits their access to a shared driveway easement centered on the shared property line.

The house was constructed in 1992 and conforms to all setback requirements. However, in 2009 the applicant constructed a shed on the property that encroaches four inches into the required rear setback and encroaches at least five feet into the 25 foot setback shown on the plat. A second shed was constructed in 2014 that encroached eight inches into the rear setback and nearly ten feet into the front setback as shown on the recorded plat. The applicant obtained building permits from the County for both sheds; the correct setbacks were indicated on the permit application for the second shed.



VARIANCE

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Tabled to February 18, 2016

FILE: VA16-02-03

Variance

Two additional driveways have been installed to access the sheds, violating Section 90-131(5)(c) of the Code which limits driveway access along collector roads to one point of access for each 300 feet of road frontage. This parcel has approximately 560 feet of road frontage, which limits the property to one point of access since Watervale Road is classified as a collector road. Additionally, the recorded plat limited access to this property to the shared driveway easement located on the west property line.

The distance between these driveways will also require a variance, as per the Code, where multiple points of access are provided for a property, they must be spaced at least 100 feet apart. The two legs of the circular driveway are approximately 80 feet apart, while the driveways accessing the sheds are essentially adjacent.

Since the sheds were permitted, and the driveway was constructed as a circular driveway prior to the applicant's purchase of the property, the applicant is requesting variances to all of the above requirements to bring the property into compliance with the County code. The site is oddly shaped, which limits the buildable area of the lot and the possible means of access to the sheds; however, with Watervale Road being a collector road, additional consideration needs to be given to setback requirements and aesthetics along this corridor. The applicant has proposed to plant trees along the side and rear of the sheds to screen them from public view, both from Watervale Road and from the adjacent subdivision to the rear of his property. Staff would recommend that additional landscaping be provided along Watervale in front of the applicant's privacy fence, located between the sheds and the existing house, to further screen the property from view.

Staff recommends **approval with conditions** of the request for variances from Sections 90-53 *List of Lot and Structure Requirements* and 90-131(5) *Street Access Control* for a 0.75+/- acre parcel (Tax Map 082I Parcel 077A) located at 165 Watervale Road to reduce the front setback to 65 feet from the centerline (15 feet from the right of way), reduce the rear setback to 9 feet, and permit a total of four driveways for the property with their current spacing.

Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

Conditions:

Planning:

1. Evergreen trees and shrubs must be installed in front of the privacy fence along Watervale Road and on the side and rear of the existing sheds as proposed by the applicant. Plantings may be staggered to create an opaque screen.
2. The proposed landscaping must be installed within 3 months of approval by the Board of Commissioners.



VARIANCE

February 4, 2016
Tabled to February 18, 2016

FILE: VA16-02-03

Variance

Comments:

Fire Marshal:

To comply with applicable fire codes.

Planning:

Conditions supplement but do not eliminate other code requirements. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

Criteria for Evaluation of Variance Proposal:

- 1. There are special circumstances or conditions unique to the property that do not generally apply to the district.**
The subject parcel is very long and narrow, limiting the buildable area of the lot. The shape of the parcel also limits the possible means of access to the existing sheds as they have been constructed.
- 2. The special circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.**
Strict application would not deprive the applicant of reasonable use of the land.
- 3. Topographical or other conditions peculiar and particular to the site are such that strict adherence to the requirements of this chapter would cause the owner unnecessary hardship, and would not carry out the intent of this chapter, and that there is no feasible alternative to remedy the situation.**
Strict adherence to the requirements of this chapter would require the owner to remove the driveways and the sheds and reconstruct sheds that meet the setback requirements. Strict adherence would also require removal of several driveways, which would effectively prohibit vehicular access to the sheds.
- 4. If granted, the variance shall be in harmony with the general purposes and intent of this chapter, and shall not be injurious to the neighborhood or detrimental to the public welfare.**
The proposal may be injurious to the surrounding properties. Multiple complaints have been received from residents of Watervale and Barrington regarding the visual intrusion of the sheds in their current location. The proposed provision of additional landscaping should soften this intrusion.
- 5. In reviewing an application for a variance, the burden of showing that the variance should be recommended and/or granted shall be upon the person applying for the variance.**
The applicant met this burden.



VARIANCE

February 4, 2016
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FILE: VA16-02-03

Variance

6. **When recommending a variance, the planning commission, or board of commissioners, when granting a variance, may establish reasonable conditions concerning the use of the property, and may establish an expiration date for such variances.**

So noted.

7. **Any variance recommended and/or authorized is to be set forth in writing in the minutes of the planning commission and the board of commissioners, as the case may be, with the reasons for which the departure was justified, and the conditions under which the variance was granted.**

So noted.





CONCEPTUAL PLAN

February 18, 2016

MITCHELL PARK V

Property Information

Subdivision Name	Mitchell Park V
Location/address	Off Mitchell Lane
Tax Map / Parcel	Tax Map 065 Parcel 673
Total Acreage	15.76 acres
Number of lots/units	32
Zoning	PUD (Planned Unit Development) (RZ98-08-01)
Owner/Developer	Riverwood Land, LLC
Commission District	District 3 (Richardson)
Recommendation	Approval

Summary and Recommendation

Applicant Riverwood Land, LLC, has submitted for approval a conceptual site plan for Mitchell Park V, a single family subdivision. This site is located off of Mitchell Lane within the Riverwood development. The site is a portion of one parcel, Tax Map 065 Parcel 673, 15.76 +/- acres, currently zoned PUD (Planned Unit Development).

This property was rezoned in 1998 (RZ98-08-01) to PUD (Planned Unit Development) as part of the Riverwood Plantation development. This site is near the intersection of William Few Parkway and Riverwood Parkway and will be accessed through the previously constructed sections of Mitchell Park.

The portion to be developed consists of 15.76 acres, of which 5 acres will be left as natural buffers and open space for the development. This open space includes a 1.2 acre central park, which will contain a small activity field and playground equipment in addition to retained wooded areas, and buffers around all sides of the development. The buffer along Riverwood Parkway contains a walking trail, which this section of Mitchell Park will be able to access.

Comprehensive development standards have been proposed as part of this conceptual plan submittal. Front porches and rear or detached garages are encouraged. Setbacks for the project will be 20 feet from the right of way line, 5 feet from the side property lines, and 10 feet from the rear property lines. These requirements meet or exceed those specified in the PUD.

Sidewalks are to be installed along all streets and are to be located 5 feet from the curb.

Staff recommends **approval** of the conceptual plan.



CONCEPTUAL PLAN

February 18, 2016

MITCHELL PARK V

Interdepartmental Review

A copy of this staff report is sent to the applicant and owner of the property in question prior to the public hearing.

Comments:

Environmental:

1. State Waters not shown on plan. Need to show and label State Waters with a 25 ft. Undisturbed Buffer.
2. Pipe that will cross the State Waters will need a permit from the USACE
3. The pipe will need to be designed for the 100-yr storm

GIS:

1. AutoCAD drawing files, including the Cover Sheet and Lot Layout, are required to be submitted via CD or digital copy. The drawing files need to be in state plane (Georgia, East Zone, NAD 83 coordinate system) including at least two benchmarks showing state plane coordinates and a benchmark or temporary benchmark referencing NAVD88 elevation.
2. Addresses will be assigned to lots once a DWG is submitted in the correct coordinate system.
3. Ellis Lane will continue across Mitchell Lane. A road name will need to be submitted for the second proposed roadway.

COLUMBIA COUNTY
GEORGIA



CONCEPTUAL PLAN

February 18, 2016

EAGLE CREEK

Property Information

Subdivision Name	Eagle Creek
Location/address	Off Hardy McManus Road
Tax Map / Parcel	Tax Map 065 Parcel 009U
Total Acreage	30.6 acres
Number of lots/units	63
Zoning	R-2 (Single Family Residential) (RZ15-03-08)
Owner/Developer	Eagle Creek Developers, LLC
Commission District	District 3 (Richardson)
Recommendation	Disapproval

Summary and Recommendation

This conceptual plan was approved by the Planning Commission at their March 19, 2015 meeting as part of the rezoning request for this parcel. Changes to the layout presented at that meeting require re-consideration of the conceptual site plan by the Planning Commission prior to consideration of a preliminary plat.

Applicant Eagle Creek Developers, LLC has submitted for approval a conceptual site plan for Eagle Creek, a single family subdivision located off of Hardy McManus Road. The property is currently zoned R-2 (Single Family Residential).

The property is 32.73 acres and is bounded by creeks on both the west and east sides. Access to this parcel is from the new extension to William Few Parkway. Nearby developments include Riverwood Plantation and Highgrove at Williamsburg. A total of 63 lots are proposed in this development.

The original conceptual plan was reviewed as part of the rezoning request for this parcel in March of 2015. The concept plan showed a fairly standard layout with a loop road and three cul-de-sacs with radial lots. Open space areas were located at the outside edges of the development, primarily along the western property line and bordering William Few Parkway.

The revised concept plan utilizes the same road layout and access point as the original concept plan. However, the open space areas are now more clearly identified as detention ponds, and the pond on the west property line has been relocated more interior to the development in response to proposed grade changes.

The other two detention ponds front on William Few Parkway, and although the western pond will largely be screened by the undisturbed state waters buffer, the eastern pond will have minimal screening from William Few, consisting of a chain link fence and evergreen plantings, as indicated on



CONCEPTUAL PLAN

EAGLE CREEK

the proposed landscaping plan. As the detention pond parcel is a double frontage parcel, a 25 foot buffer would be required from William Few Parkway, which is not part of the concept plan. The applicant is requesting that Planning Commission consider waiving the buffer requirement for this portion of the project as part of the conceptual plan review. Given the high visibility of this parcel from William Few Parkway and the character of nearby developments such as Riverwood, staff is not in favor of reducing the buffer requirements unless the pond can be made a landscaped feature of the development.

Proposed grade changes would also create steep slopes visible from William Few Parkway. Staff has asked the developer to re-plant evergreen trees on the slopes in order to better screen the slopes and homes built on the adjacent lots. The applicant has shown some plantings on these slopes, but the single row of trees proposed is likely inadequate as a visual buffer.

The other major revision to the conceptual plan is the shape of the cul-de-sac lots. Where the original concept plan indicated standard radial lots, the revised submittal shows lots that, while technically radial, are largely rectangular, which does not meet the intent of the code. Houses built on these lots will not match the character of the rest of the subdivision, by necessity being set back much further off the road. Staff is not in favor of the revisions to the design of the cul-de-sac lots.

Staff recommends **disapproval** of the revisions to the conceptual plan and **disapproval** of the requested waiver to the buffer requirements.

COLUMBIA COUNTY
GEORGIA



February 18, 2016

PRELIMINARY PLAT

BELL TOWER

Property Information

Subdivision Name	Bell Tower
Location/address	Off Furys Ferry and Hardy McManus Road
Tax Map / Parcel	Tax Map 071 Parcels 013B, 013C, 013D
Total Acreage	59.1 acres
Number of lots/units	66 lots
Zoning	R-2 (Single Family Residential)
Engineer	Bluewater Engineering
Commission District	District 1 (Duncan)
Recommendation	Approval

Summary and Recommendation

River Gate Development, LLC, seeks preliminary plat approval for Bell Tower subdivision, located off Furys Ferry Road. The property is zoned R-2 (Single Family Residential). The proposed subdivision is 66 lots on approximately 59.1 acres.

The R-2 zoning was approved for this property in 2015 (RZ15-04-01) with a subsequent revision to the zoning conditions in 2015 (RZ15-10-06).

The average lot size is 16,879 square feet with a minimum lot size of 12,109 square feet. Setbacks are 55 feet from the centerline and 10 feet from the side and rear property lines. Sidewalks are required and are proposed on both sides of the road. Street trees with a minimum DBH of 3 inches are required and are proposed along all streets.

17.8 acres of common areas are proposed in the development; 1.4 acres of the proposed area will be active amenity space, with 7.2 acres of passive common area. An additional 18.3 acres will be conservation area; per the zoning conditions, only half of this acreage can be counted towards the open space requirements. The proposed open space acreage meets the zoning conditions.

The conceptual plan for this subdivision was approved as part of the rezoning request in 2015; a revision to the conceptual plan was approved as part of the change of conditions request in October 2015. The submitted preliminary plat appears to substantially comply with the approved conceptual plan.

Staff recommends **approval**.



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PRELIMINARY PLAT

HIDDEN CREEK, SECTION H

Property Information

Subdivision Name	Hidden Creek, Section H
Location/address	Off Baker Place Road
Tax Map / Parcel	Tax Map 051 Parcel 737
Total Acreage	13.93 acres
Number of lots/units	68 lots
Zoning	PUD (Planned Unit Development)
Engineer	James G Swift & Associates
Commission District	District 3 (Richardson)
Recommendation	Approval

Summary and Recommendation

Jerry Greenway seeks preliminary plat approval for Section H of Hidden Creek subdivision, located off Baker Place Road. The property is zoned PUD (Planned Unit Development). The proposed section of the subdivision is 68 lots on approximately 13.93 acres.

The PUD zoning was approved for this property in 2006 (RZ06-12-10) with a subsequent revision to the zoning in 2009 (RZ09-07-03). Section H was designated for townhouse residential development.

The minimum lot size is 2,633 square feet. Setbacks are 15 feet from the right of way and 15 feet from the rear property line. Side setbacks are 0 feet between attached units and 20 feet between groupings. Sidewalks are required and are proposed on both sides of the road. A sidewalk will also be installed along Warrior Way to connect to the adjacent school property.

Passive open space is provided in this section of the subdivision; a pool and playground area are available in the larger Hidden Creek subdivision.

The conceptual plan for this subdivision was approved as part of the rezoning request in 2009. The submitted preliminary plat appears to substantially comply with the approved conceptual plan.

Staff recommends **approval**.



FINAL PLAT

February 18, 2016

BRIGADIER LANDING,
PHASE I

Property Information

Subdivision Name	Brigadier Landing Phase I
Location/address	Off Wrightsboro Road
Tax Map / Parcel	Tax Map 069 Parcel 101C
Total Acreage	22.41 acres
Number of lots/units	52
Zoning	R-2 (Single Family Residential)
Surveyor	James G Swift & Associates
Commission District	District 4 (Morris)
Recommendation	Approval

Summary and Recommendation

Patriots Landing, LLC, seeks final plat approval for 52 residential lots on 22.41 acres located off Wrightsboro Road. The property is zoned R-2 (Single Family Residential). The Board of Commissioners approved the R-2 zoning in June of 2013. The preliminary plat was approved on August 7, 2014.

The average residential lot size is 12,003 square-feet with a minimum lot size of 10,000 square-feet. The lots will have a 30-foot front setback from the right of way. Each lot will have 10-foot side setbacks and 10-foot rear setbacks.

Sidewalks are proposed on both sides of the internal streets; the developer will be responsible for installing all sidewalks around open space areas prior to the expiration of the warranty period. Structural and landscaped buffers are required along all property lines, including a 25 foot structural buffer from Wrightsboro Road and an 8 foot privacy fence installed along Jackson Way.

The submitted final plat appears to substantially comply with the approved preliminary plat.

Staff recommends **approval**.



FINAL PLAT

February 18, 2016

RETREAT AT BAKER
PLACE, PHASE III

Property Information

Subdivision Name	Retreat at Baker Place Phase III
Location/address	Off Baker Place Road
Tax Map / Parcel	Tax Map 051 Parcel 004C and 855
Total Acreage	21.48 acres
Number of lots/units	24
Zoning	PUD (Planned Unit Development)
Surveyor	H & C Surveying
Commission District	District 4 (Morris)
Recommendation	Approval

Summary and Recommendation

Baker Place Development, LLC, seeks final plat approval for 24 residential lots on 21.48 acres located off Baker Place Road. The property is zoned PUD (Planned Unit Development). The Board of Commissioners approved the PUD zoning in October of 2012 with a subsequent revision in November 2014. The preliminary plat was approved on December 4, 2014.

The average residential lot size is 15,246 square-feet with a minimum lot size of 12,856 square-feet. The lots will have a 30-foot front setback from the right of way. Each lot will have 5-foot side setbacks and 10-foot rear setbacks.

Sidewalks are proposed on both sides of the internal streets; the developer will be responsible for installing all sidewalks around open space areas prior to the expiration of the warranty period. 11.58 acres of open space are provided in this phase.

The submitted final plat appears to substantially comply with the approved preliminary plat.

Staff recommends **approval**.



FINAL PLAT

February 18, 2016

TRADE CENTER
LOTS 7 AND 8

Property Information

Subdivision Name	Trade Center
Location/address	Off Columbia Industrial Boulevard
Tax Map / Parcel	Tax Map 078 Parcel 116C
Total Acreage	9.18 acres
Number of lots/units	11
Zoning	PUD (Planned Unit Development)
Surveyor	Jachens Land Surveying, Inc.
Commission District	District 1 (Duncan)
Recommendation	Approval

Summary and Recommendation

Evans Town Center Park, LLC, seeks final plat approval for 11 commercial lots on 9.18 acres located off Columbia Industrial Boulevard. The property is zoned PUD (Planned Unit Development). The Board of Commissioners approved the PUD zoning in February of 2014 with subsequent revisions in December 2014 and October 2015.

This final plat creates two new commercial building lots, lots 7 and 8, out of parcel 078 116C, bringing the total number of lots in the development to 11. The lot dimensions and proposed setbacks comply with the PUD zoning, with a minimum lot size of 0.2 acres, 20-foot front setbacks, 5-foot side setbacks, and 25-foot rear setbacks.

The submitted final plat appears to substantially comply with the approved preliminary plat.

Staff recommends **approval**.



REZONING

February 18, 2016

FILE : RZ16-02-02

Conditional Use

Property Information	
Tax Map/Parcel ID	Tax Map 073 Parcel 023
Address/Location	427 North Belair Road
Acreage (+/-)	0.845 +/- acres
Current Zoning	P-1 (Professional)
Existing Use	Professional
Request	Conditional Use for massage
Commission District	District 2 (Allen)
Recommendation	Approval with Conditions

Summary and Recommendation

Applicant Alishia Bryden and owners Nancy and Richard Napier request a Conditional Use for one parcel (Tax Map 073 Parcel 023), 0.845 +/- acres located at 427 North Belair Road, to establish a massage therapy business.

The property in question is located on the east side of North Belair Road within Evans Town Center and is currently zoned P-1 (Professional). Surrounding properties are primarily professional and commercial in nature with a mix of P-1 and PUD (Planned Unit Development) zoning.

The applicants are proposing to establish a new massage therapy business in the existing building on the property. The applicant is a licensed massage therapist by the state of Georgia. The business will be open six days a week.

Staff recommends **approval with conditions** of the request to for a Conditional Use for one parcel (Tax Map 073 Parcel 023), 0.845 +/- acres located at 427 North Belair Road, to establish a massage therapy business.



REZONING

February 18, 2016

FILE : RZ16-02-02

Conditional Use

Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

Conditions:

Planning:

Only one massage business may be permitted on this property.

Comments:

Building Standards:

Ensure all applicable codes provided by the International Building Code, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code are met.

Fire Marshal:

To comply with applicable fire codes.

Planning:

Conditions supplement but do not eliminate other code requirements which pertain to site development. No variances from Code have been expressed or implied. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

Water and Sewer:

This address is connected to the County water and sewer system.

Criteria for Evaluation of Rezoning Proposal

1. **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**
This parcel is part of a generally professional area of development in Evans Town Center. The proposed use is suitable for a professional area.
2. **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**
The proposal should not adversely impact adjacent or nearby properties.
3. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**



REZONING

February 18, 2016

FILE : RZ16-02-02

Conditional Use

The property does have a reasonable economic use as currently zoned.

4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**

The proposal will not cause an excessive burden on existing facilities.

5. **If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan.**

The adopted future land use map shows this area as an activity center; business use is appropriate for this area.

6. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**

Staff is not aware of any at this time.

7. **Whether the proposal reflects a reasonable balance between the promotion of health, safety, and welfare against the right to unrestricted use of property.**

The proposal does meet this test.





VARIANCE

February 18, 2016

FILE: VA16-02-04

Variance

Property Information	
Tax Map/Parcel ID	Tax Map 081B Parcel 132
Address/Location	3510 West Lake Drive
Acreage (+/-)	0.48 +/- acres
Current Zoning	R-2 (Single Family Residential)
Existing Use	Residential
Request	Variance from Section 90-53 <i>List of Lot and Structure Requirements</i>
Commission District	District 1 (Duncan)
Recommendation	Approval with Conditions

Executive Summary:

Owners Chandrasekhar Kunavarupa and Sowjanya Mohan and applicant Claire Stone request a variance from Section 90-53 *List of Lot and Structure Requirements* for a 0.48+/- acre parcel (Tax Map 081B Parcel 132) located at 3510 West Lake Drive to reduce the rear setback to 0 feet.

The property is located on the northwest side of West Lake Drive, abutting the golf course, and is currently zoned R-2 (Single Family Residential). The property is surrounded by other West Lake properties, also zoned R-2.

As an R-2 property, the required side and rear setbacks are 10 feet from the property lines. There is an existing pool at the rear of the property which is built within the required setback, with the edge of the pool approximately 4.5 feet from the property line and the concrete deck area extending to the property line, where a fence has been constructed. This pool has been in existence since the original owner of the property installed it, likely in the mid-1970s before the existence of the Columbia County Code.

In addition to being built within the required R-2 setbacks, the rear of this property is also crossed by a 10 foot drainage and utility easement, which the pool intrudes upon as indicated on the submitted plat. Columbia County Water Utility has indicated that there are no lines within the easement and Stormwater has not provided conditions since it is a private utility easement.

Due to the pool being a nonconforming structure, the easement not having any county-owned infrastructure, and the applicant not requesting any modification to the existing pool, staff is comfortable with the requested variance. Further comment is provided in the criteria section below.



VARIANCE

February 18, 2016

FILE: VA16-02-04

Variance

Staff recommends **approval with conditions** of the request for a variance from Section 90-53 *List of Lot and Structure Requirements* for a 0.48+/- acre parcel (Tax Map 081B Parcel 132) located at 3510 West Lake Drive to reduce the rear setback to 0 feet.

Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

Conditions:

Planning:

If approved, the zero-foot setback applies to the existing pool structure only. Any future accessory buildings must comply with the Code.

Comments:

Environmental:

State Waters are present within 200 feet of the property. There is an established 25-foot buffer from the edge of wrosted vegetation along all state waters. Any disturbances to the 25-foot buffer must be approved by the Georgia Environmental Protection Division prior to such disturbance taking place.

Fire Marshal:

To comply with applicable fire codes.

Planning:

No other variances from Code have been expressed or implied. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

Stormwater Management:

Since the easement on the rear of the property is private, Stormwater has no conditions or comments concerning this request to reduce the rear setback.

Water Utility:

Water Utility has no lines located within the easement area.



VARIANCE

February 18, 2016

FILE: VA16-02-04

Variance

Criteria for Evaluation of Variance Proposal:

1. **There are special circumstances or conditions unique to the property that do not generally apply to the district.**

This lot is similar to others in the immediate vicinity. However, all evidence points to the pool being constructed prior to adoption of the current Columbia County Code in 1979. This would make the pool a nonconforming structure under section 90-132 and would be allowed to continue in perpetuity with conditions as outlined in that section.

2. **The special circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.**

Strict application could require removal of the pool. However, with the pool being a nonconformity due to its construction prior to the existing code, it is permitted to remain based on criteria laid out in section 90-132 of the Code. Strict application also would not deprive the applicant of use of the land.

3. **Topographical or other conditions peculiar and particular to the site are such that strict adherence to the requirements of this chapter would cause the owner unnecessary hardship, and would not carry out the intent of this chapter, and that there is no feasible alternative to remedy the situation.**

Strict adherence to the requirements of this chapter could cause the owner hardship by requiring the removal of the pool. There do not appear to be any topographical issues with the site, nor the pool being located within the drainage and utility easement.

4. **If granted, the variance shall be in harmony with the general purposes and intent of this chapter, and shall not be injurious to the neighborhood or detrimental to the public welfare.**

The variance does not appear to be injurious to the neighborhood or detrimental to the public welfare. It has been in existence for nearly 40 years and appears to have had little effect on the adjacent properties.

5. **In reviewing an application for a variance, the burden of showing that the variance should be recommended and/or granted shall be upon the person applying for the variance.**

The applicant has met this burden.

6. **When recommending a variance, the planning commission, or board of commissioners, when granting a variance, may establish reasonable conditions concerning the use of the property, and may establish an expiration date for such variances.**

So noted.



VARIANCE

February 18, 2016

FILE: VA16-02-04

Variance

7. **Any variance recommended and/or authorized is to be set forth in writing in the minutes of the planning commission and the board of commissioners, as the case may be, with the reasons for which the departure was justified, and the conditions under which the variance was granted.**
So noted.





VARIANCE

February 18, 2016

FILE: VA16-02-05

Variance

Property Information	
Tax Map/Parcel ID	Tax Map 039A Parcel 059
Address/Location	102 Crystal Creek Lane
Acreage (+/-)	1.28 +/- acres
Current Zoning	R-A (Residential Agriculture)
Existing Use	Residential
Request	Variance from Section 90-53 <i>List of Lot and Structure Requirements</i>
Commission District	District 4 (Morris)
Recommendation	Approval with Conditions

Executive Summary:

Owner Melissa Thompson and owner and applicant Frank Thompson request a variance from Section 90-53 *List of Lot and Structure Requirements* for a 1.28+/- acre parcel (Tax Map 039A Parcel 059) located at 102 Crystal Creek Lane to reduce the side setback to 5 feet.

The property is located on the west side of Crystal Creek Lane at its intersection with Columbia Road and is currently zoned R-A (Residential Agriculture). Surrounding properties are also zoned R-A.

Since this property is a corner lot, it has two front setbacks and two side setbacks. In the R-A district, side setbacks are required to be 10 feet from the property line. The applicant is requesting to reduce the side setback at the northern property line to five feet to construct an approximately 830 square foot storage building on the north side of the property. The applicant has indicated that this storage building will have seam metal roofing panels matching the existing roof color and the siding will be 4'x8' Masonite siding panels also matching the existing house color.

The applicant began construction of the storage building without a building permit and no inspections have been performed by the County.

Due to the topography, flood plain, front setback on Columbia Road, and the building not encroaching into the existing drainage and utility easement staff is comfortable with the request. However, staff does have some concern with the proposed materials which are addressed in the conditions. Further comment is provided in the criteria for evaluation below.



VARIANCE

February 18, 2016

FILE: VA16-02-05

Variance

Staff recommends **approval with conditions** of the request for a variance from Section 90-53 *List of Lot and Structure Requirements* for a 1.28+/- acre parcel (Tax Map 039A Parcel 059) located at 102 Crystal Creek Lane to reduce the side setback to 5 feet.

Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

Conditions:

Planning:

1. Exterior materials shall consist of compatible materials to the existing house or as presented to staff in a drawing dated February 9th, 2016. No windows shall face the adjacent property to the north at 104 Crystal Creek Lane.
2. The reduction in the side setback applies only to the building currently under construction. Any future structures added to the property must meet County code.

Comments:

Building Standards: Ensure all applicable codes provided by the International Residential code for one and two family dwellings, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

Please note construction of the storage building was initiated prior to submitting a building permit application; no inspections have been performed.

Environmental:

Wetlands and Waters of the U.S. may be present on the property. If wetlands are present on the property, Columbia County strongly encourages that a Jurisdictional Determination be procured from the U.S. Army Corps of Engineers for this project. If any disturbances to the wetlands or waters of the U.S. are proposed, Columbia County will require an approved JD that must be accompanied by correspondence from the U.S. Army Corps of Engineers stating permit coverage has been obtained or permit coverage is not needed.

State Waters are present on the property. There is an established 25-foot buffer from the edge of wretsted vegetation along all state waters. Any disturbances to the 25-foot buffer must be approved by the Georgia Environmental Protection Division prior to such disturbance taking place.

According to FEMA FIRM 13073C0120D, the property contains A Zone. Future additions on this property may require the submission of a LOMA to FEMA.



VARIANCE

February 18, 2016

FILE: VA16-02-05

Variance

Fire Marshal:

To comply with applicable fire codes.

Planning: Conditions supplement but do not eliminate other code requirements. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

Criteria for Evaluation of Variance Proposal:

1. **There are special circumstances or conditions unique to the property that do not generally apply to the district.**

Since the property is a corner lot and abuts Columbia Road, it does have a 50' setback from the property line on the southern side of the property which does limit the developable land on that side. In addition, a large portion of the western side of the lot is within the Benton Creek flood plain. However, this flood plain is common for properties on the western side of Crystal Creek Lane.

2. **The special circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.**

Strict application would not deprive the applicant of any reasonable use of the land. The proposed building, which is currently under construction, would have to be moved or torn down and rebuilt to accommodate the correct setbacks.

3. **Topographical or other conditions peculiar and particular to the site are such that strict adherence to the requirements of this chapter would cause the owner unnecessary hardship, and would not carry out the intent of this chapter, and that there is no feasible alternative to remedy the situation.**

In addition to the factors mentioned in criteria one, the lot slopes down nearly 40 feet from the front of the lot at Crystal Creek Lane to the rear (east to west) over a distance of approximately 380 feet. While this is common among the lots to the north along the creek, it does have an impact on locating an accessory building.

4. **If granted, the variance shall be in harmony with the general purposes and intent of this chapter, and shall not be injurious to the neighborhood or detrimental to the public welfare.**

There is a 5' drainage & utility easement along the northern property line. The proposal does keep the building outside of that easement. It is likely that the request will not be injurious to the neighborhood or detrimental to the public welfare.

5. **In reviewing an application for a variance, the burden of showing that the variance should be recommended and/or granted shall be upon the person applying for the variance.**

The applicant has met this burden.



VARIANCE

February 18, 2016

FILE: VA16-02-05

Variance

6. **When recommending a variance, the planning commission, or board of commissioners, when granting a variance, may establish reasonable conditions concerning the use of the property, and may establish an expiration date for such variances.**

So noted.

7. **Any variance recommended and/or authorized is to be set forth in writing in the minutes of the planning commission and the board of commissioners, as the case may be, with the reasons for which the departure was justified, and the conditions under which the variance was granted.**

So noted.

